

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

CHRISTOPHER T. FOXON,

Defendant.

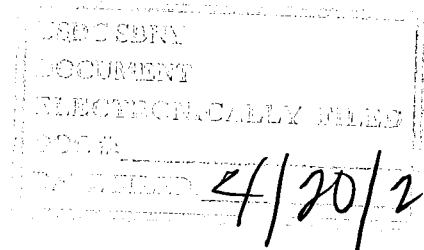
PRELIMINARY ORDER OF
FORFEITURE/
MONEY JUDGMENT

21 Cr. 783 (VB)

WHEREAS, on or about December 21, 2021, CHRISTOPHER T. FOXON (the "Defendant") was charged in a one-count information, 21 Cr. 783 (KMK) (the Information), with armed bank robbery, in violation of 18 U.S.C. § 2113(a)&(d) (Count One); and

WHEREAS, the Information included a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, of any and all property constituting, or derived from, proceeds traceable to the commission of the offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense; and

WHEREAS, on or about January 11, 2022, the Defendant pleaded guilty to Count One of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Information and agreed to forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, a sum of money equal to \$6,990 in United States



currency, representing proceeds traceable to the commission of the offense charged in Count One of the Information; and

WHEREAS, the Government asserts that \$6,990 in United States currency, represents proceeds traceable to the commission of the offense charged in Count One of the Information that the Defendant personally obtained;

WHEREAS, the Government seeks a money judgment in the amount of \$6,990 in United States currency pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, representing the proceeds traceable to the commission of the offense charged in Count One of the Information that the Defendant personally obtained; and

WHEREAS, the Court finds that, as a result of acts and/or omissions of the Defendant, certain proceeds traceable to the offense charged in Count One of the Information cannot be located upon the exercise of due diligence.

NOW IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offense charged in Count One of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$6,990 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count one of the Information that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Federal Rule of Criminal Procedure 32.2(b)(4), this Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, CHRISTOPHER T. FOXON, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One Saint Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to 21 U.S.C. § 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Federal Rule of Criminal Procedure 32.2(b)(3), the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2 of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal

Enterprises Unit, United States Attorney's Office, One Saint Andrew's Plaza, New York, New York 10007.

SO ORDERED:



HONORABLE VINCENT BRICCETTI
UNITED STATES DISTRICT JUDGE

4/19/2022
DATE